

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LORI CRABTREE,

Plaintiff,

v.

CIV 13-0411 KBM/RHS

JEFFERY MENDEL,

Defendant.

ORDER

THIS MATTER came before the Court this day for a hearing on four pending motions. Having reviewed the parties' submissions and the relevant law and having heard argument of counsel, the Court stated on the record its rationale for the following rulings and incorporates those reasons herein.

Wherefore,

IT IS HEREBY ORDERED AS FOLLOWS:

1. Plaintiff's Motion in Limine to Exclude Expert Testimony as Irrelevant and Unreliable (*Doc. 71*) is **denied**;
2. Plaintiff's Motion to Amend/Correct Scheduling Order to Include Claim for Punitive Damages (*Doc. 72*) is **granted**, and Plaintiff is directed to include within her Amended Complaint the factual allegations contained in her briefing that support a plausible claim for punitive damages;

3. Plaintiff's First Motion for Sanctions Under Rule 37 and the Inherent Powers of the Court (*Doc. 73*) is **denied** at this time without prejudice to re-filing after the completion of new discovery; and
4. Defendant's Motion to Amend/Correct Scheduling Order to Reopen Discovery on Punitive Damages and to Vacate the Trial Setting (*Doc. 87*) is **granted**, limited discovery with respect to Plaintiff's punitive damages claim will be permitted, and the November 17, 2014 trial date is hereby **vacated**.


UNITED STATES CHIEF MAGISTRATE JUDGE